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MAILED
AUG 30 2010
OFFICE OF PETITIONS

In re Application of	:	
Mueller	:	
Application No. 10/598,628	:	ON PETITION
Filed: September 6, 2006	:	
Attorney Docket No. 07420.25183	:	

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed July 13, 2010, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned July 25, 2009 for failure to timely submit a proper reply to the final Office action mailed April 24, 2009. The final Office action set a three month shortened statutory period of time for reply. No petition for extension of time under 37 CFR 1.136(a) was submitted. The reply filed July 24, 2009 failed to place the application in condition for allowance, as indicated in the Notice of Abandonment mailed February 16, 2010. A petition under 37 CFR 1.137(b) was filed March 3, 2010 and dismissed June 7, 2010.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D).

The instant petition has been carefully reviewed and found in compliance with the requirements set forth above.

This application is being forwarded to Group Art Unit 3752 for consideration of the request for continued examination and submission (previously filed amendment).

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

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